

JS 44 (Rev. 3/99)

## CIVIL COVER SHEET

05-870

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS SHANE K. HOPKINSDEFENDANTS C/O J. ROSEY; C/O J. SMITH;  
C.P.L. LM. MERSON; DEPUTY WARDEN  
PIERCE; A.C.L.U. OF DELAWARE DIRECTORS;(b) County of Residence of First Listed Plaintiff NEW CASTLE  
(EXCEPT IN U.S. PLAINTIFF CASES)County of Residence of First Listed NEW CASTLE ATTORNEY GEN  
(IN U.S. PLAINTIFF CASES ONLY) OF DEL M. JANE  
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE  
LAND INVOLVED. BRADY

(c) Attorney's (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

PRO SEATTORNEY GENERAL  
M. JANE BRADY

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- G 1 U.S. Government Plaintiff ☒ G 3 Federal Question (U.S. Government Not a Party) ☒
- G 2 U.S. Government Defendant ☐ G 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- ☒ Citizen of This State ☒ G 1 DEF Incorporated or Principal Place of Business in This State ☒ G 4 DEF
- ☒ Citizen of Another State ☒ G 2 G 2 Incorporated and Principal Place of Business in Another State ☒ G 5 G 5
- Citizen or Subject of a Foreign Country ☐ G 3 G 3 Foreign Nation ☐ G 6 G 6

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT		TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
G 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	G 610 Agriculture	G 422 Appeal 28 USC 158	G 400 State Reapportionment	
G 120 Marine	G 310 Airplane	G 362 Personal Injury—	G 620 Other Food & Drug	G 423 Withdrawal	G 410 Antitrust	
G 130 Miller Act	G 315 Airplane Product Liability	Med. Malpractice	G 625 Drug Related Seizure of Property 21 USC	28 USC 157	G 430 Banks and Banking	
G 140 Negotiable Instrument	G 320 Assault, Libel & Slander	G 365 Personal Injury—	G 630 Liquor Laws	PROPERTY RIGHTS	G 450 Commerce/ICC Rates/etc.	
G 150 Recovery of Overpayment & Enforcement of Judgment	G 330 Federal Employers' Liability	Product Liability	G 640 R.R. & Truck	G 820 Copyrights	G 460 Deportation	
G 151 Medicare Act	G 340 Marine	G 368 Asbestos Personal Injury Product Liability	G 650 Airline Regs.	G 830 Patent	G 470 Racketeer Influenced and Corrupt Organizations	
G 152 Recovery of Defaulted Student Loans (Excl. Veterans)	G 345 Marine Product Liability	PERSONAL PROPERTY	G 660 Occupational Safety/Health	G 840 Trademark	G 810 Selective Service	
G 153 Recovery of Overpayment of Veteran's Benefits	G 350 Motor Vehicle	G 370 Other Fraud	G 690 Other	SOCIAL SECURITY	G 850 Securities/Commodities/Exchange	
G 160 Stockholders' Suits	G 355 Motor Vehicle Product Liability	G 371 Truth in Lending	LABOR	G 861 HIA (1395ff)	G 875 Customer Challenge 12 USC 3410	
G 190 Other Contract	G 360 Other Personal Injury	G 380 Other Personal Property Damage	G 710 Fair Labor Standards Act	G 862 Black Lung (923)	G 891 Agricultural Acts	
G 195 Contract Product Liability		G 385 Property Damage Product Liability	G 720 Labor/Mgmt. Relations	G 863 DIWC/DIWW (405(g))	G 892 Economic Stabilization Act	
			G 730 Labor/Mgmt. Reporting & Disclosure Act	G 864 SSID Title XVI	G 893 Environmental Matters	
			G 740 Railway Labor Act	G 865 RSI (405(g))	G 894 Energy Allocation Act	
			G 790 Other Labor Litigation	FEDERAL TAX SUITS	G 895 Freedom of Information Act	
			G 791 Empl. Ret. Inc. Security Act	G 870 Taxes (U.S. Plaintiff or Defendant)	G 900 Appeal of Fee Determination Under Equal Access to Justice	
				G 871 IRS—Third Party 26 USC 7609	G 950 Constitutionality of State Statutes	
					G 890 Other Statutory Actions	

## V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

- ☒ G 1 Original Proceeding ☐ G 2 Removed from State Court ☐ G 3 Remanded from Appellate Court ☐ G 4 Reinstated or Reopened ☐ G 5 Transferred from another district (specify) ☐ G 6 Multidistrict Litigation ☐ G 7 Appeal to District Judge from Magistrate Judgment

## VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

42 USC § 1983 PRISONER ASSAULT CASEVII. REQUESTED IN COMPLAINT: ☒ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 ☐ DEMAND \$ ON GRIEVANCE AND ASSAULT CASES CHECK YES only if demanded in complaint: JURY DEMAND: ☒ G Yes ☐ G No

## VIII. RELATED CASE(S) IF ANY

JUDGE

DOCKET NUMBER

DATE 12-5-05 SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

Shane Hopkins

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_